

Notice of Allowability

Application No.

10/045,071

Examiner

Raj Jain

Applicant(s)

SHERMAN, MATTHEW J.

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/8/05.

2. ☒ The allowed claim(s) is/are 3-11 and 13-25.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.


Ajit Patel
Primary Examiner

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Samule Dworetsky on January 5, 2006 phone 908-532-1855.

Applicant and examiner have agreed to incorporate the limitations of dependent claim 12 into independent claims 3, 4, and 17, while preserving Applicant's right to file a continuation to seek broader claims.

Delete claim 12.

Amend claim 3, line 6 after the second word "message" "wherein the sent message indicates an end of a time period for suppressing transmissions by the obeying station and transmissions of unknown protocols are given preferential use of the medium when the transmissions by the obeying station are suppressed" has been inserted.

Amend claim 4, line 13 after the second word "address" "wherein the sent message indicates an end of a time period for suppressing transmissions by the obeying station and transmissions of unknown protocols are given preferential use of the medium when the transmissions by the obeying station are suppressed" has been inserted.

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Amend claim 17, line 23 after the word "address" "wherein the sent message indicates an end of a time period for suppressing transmissions by the obeying station and transmissions of unknown protocols are given preferential use of the medium when the transmissions by the obeying station are suppressed" has been inserted.

The following is an examiner's statement of reasons for allowance:

Claims 3, 4 and 17 are allowed.

The prior art discloses a method and system for spoofing stations while transmitting data through a medium and further discloses sending a message to reset an network allocation vector to at least one of an obeying station that resets its allocation vector in accordance with the sent message.

The prior art however fails to disclose or fairly suggest a where the sent message indicates an end of a time period for suppressing transmissions by the obeying station and transmissions of unknown protocols are given preferential use of the medium when the transmissions by the obeying station are suppressed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raj Jain whose telephone number is 571-272-3145.

The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax number for the organization where this application is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

RJ
January 6, 2006


Ajit Patel
Primary Examiner